

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

MICHELLE MAYNARD,)	
Plaintiff,)	
)	
v.)	No. 2:24-cv-2649-SHL-atc
)	
I SQUARE MANAGEMENT, LLC and)	
HS HIEX HOTEL, LLC,)	
Defendants.)	

**ORDER GRANTING IN PART JOINT MOTION TO EXTEND
SCHEDULING ORDER DEADLINES**

The parties jointly request to extend the remaining discovery deadlines.¹ (ECF No. 24.) They state that they need more time to disclose experts, which will affect the deadlines for everything else. (ECF No. 24 at PageID 88.) Plaintiff Michelle Maynard anticipates obtaining an expert report from her orthopedic surgeon, Dr. Marcus Duda, but he needs to complete a functional capacity evaluation before he can prepare one. (Id.) The evaluation is scheduled for March 10, and Maynard will return for a follow-up appointment on March 17. (Id.) At that point, Dr. Duda will begin to prepare his IME report, and Maynard's other experts will prepare their reports after they review his. (Id.) Thus, Maynard will not be able to disclose all of her experts by the current deadline on April 4, which will in turn prevent Defendants from timely disclosing their own experts. (Id.)

A court may only modify a scheduling order for "good cause." Fed. R. Civ. P. 16(b)(4). For good cause shown, the parties' joint motion is **GRANTED IN PART**. While the Court will extend most of the relevant deadlines, the parties should be able to accomplish everything

¹ They do not request to extend the deadline to complete written discovery, which expired on March 7. (See ECF No. 13 at PageID 61.)

sooner than they propose. Thus, the scheduling order is modified as described below.

COMPLETING ALL DISCOVERY: July 7, 2025

SUPPLEMENTATION PURSUANT TO RULE 26(e)(1): July 7, 2025

**DEPOSITIONS, EXCLUDING EXPERT EVIDENTIARY
DEPOSITIONS/MEDICAL PROOF:** July 7, 2025

EXPERT WITNESS DISCLOSURES (Rule 26):

- (1) DISCLOSURE OF RULE 26 EXPERT INFORMATION FOR
PARTY BEARING BURDEN:** May 2, 2025
- (2) DISCLOSURE OF REBUTTAL RULE 26 EXPERT
INFORMATION:** June 2, 2025
- (3) EXPERT WITNESS DEPOSITIONS:** July 7, 2025
- (4) EXPERT WITNESS EVIDENTIARY DEPOSITIONS,
INCLUDING MEDICAL PROOF, IF APPROVED BY THE COURT:**
August 15, 2025

MOTIONS TO EXCLUDE EXPERTS/DAUBERT MOTIONS: August 28, 2025

The parties' proposed schedule would have resulted in them receiving rulings on their motions to exclude experts on the eve of trial. In lieu of giving Maynard an extra month and a half to disclose her experts, the Court extended her deadline and Defendants' deadline by a month each, extended the remaining deadlines in proportion to those, and kept the deadline to conduct Court-approved expert witness evidentiary depositions as August 15. The new schedule gives the parties plenty of time to disclose their experts while also preserving sufficient time for the Court to rule on any motions to exclude in advance of trial. The parties did not request to extend the July 7 deadline to file dispositive motions, so it remains the same.

IT IS SO ORDERED, this 13th day of March, 2025.

s/ Sheryl H. Lipman
SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE